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**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

PORFORIO MORENO MUÑOZ)
Petitioner,)
vs.) No. CR-F-02-5422 REC
UNITED STATES OF AMERICA) No. 1:03-CV-6255
Respondent.) **STIPULATION AND
ORDER REGARDING
BRIEFING SCHEDULE**

_____ The petitioner has collaterally attacked his conviction for 8 USC § 1326 on the basis that he is a United States citizen. The parties have stipulated that the petitioner would submit an application for United States Citizenship (N-600) to the Citizenship and Immigration Services (CIS) and that the respondent's brief would be due after the adjudication of the N-600 application. The filing deadline for the respondent's brief is **June 9, 2006**. This application process took longer than anticipated. The application was denied and served on the petitioner on **June 5, 2006**. See, Decision attached at Exhibit A. The petitioner has a right to appeal that decision within thirty days. If the petitioner files an appeal, the government will make an effort to have the appeal adjudicated as quickly as possible. Because the final administrative decision may impact the outcome of these proceedings, the parties have agreed that the government will submit a response to the petitioner's supplemental brief after a decision regarding the appeal will be made. Accordingly, the parties

1 stipulate that the respondent's reply brief will be due on **September 8, 2006.**
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5 Respectfully Submitted,
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Dated : June 7, 2006

/s/ Marianne Pansa
McGREGOR W. SCOTT
United States Attorney
by: MARIANNE A. PANSA
Assistant United States Attorney

9 Attorney for the Respondents
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Dated : June 7, 2006

/s/ Carolyn Phillips (consent given to sign)
CAROLYN D. PHILLIPS
Attorney at Law
Attorney for Petitioner Moreno-Munoz

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ORDER
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IT IS SO ORDERED.

Dated: June 9, 2006
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/s/ Anthony W. Ishii
UNITED STATES DISTRICT JUDGE